

MONDAY, FEBRUARY 13, 2012

FIFTY-THIRD LEGISLATIVE DAY

The House met at 5:00 p.m. and was called to order by Madam Speaker Harwell.

The proceedings were opened with prayer by Rabbi Tiechtel, Chairman and Executive Director of Chabad of Nashville, TN.

Representative White led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present..... 99

Representatives present were Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 99

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Resolution No. 173 Rep(s). Butt as prime sponsor(s).

House Resolution No. 174 Rep(s). Dean as prime sponsor(s).

House Resolution No. 177 Rep(s). Dean as prime sponsor(s).

House Resolution No. 182 Rep(s). Dean as prime sponsor(s).

House Joint Resolution No. 653 Rep(s). Armstrong, J. Turner, M. Turner, Fitzhugh, Naifeh, Richardson, Gilmore and Camper as prime sponsor(s).

House Joint Resolution No. 657 Rep(s). K. Brooks and Ragan as prime sponsor(s).

House Joint Resolution No. 658 Rep(s). K. Brooks and Ragan as prime sponsor(s).

MONDAY, FEBRUARY 13, 2012 – FIFTY-THIRD LEGISLATIVE DAY UNOFFICIAL VERSION

House Bill No. 1519 Rep(s). Hardaway, Parkinson, Brown, Hensley, McManus, Ford, Favors, Armstrong, Weaver, Stewart, Shaw, C. Johnson, H. Brooks, Eldridge, Fitzhugh, Butt, McCormick and Roach as prime sponsor(s).

House Bill No. 2171 Rep(s). Tidwell as prime sponsor(s).

House Bill No. 2509 Rep(s). Hardaway as prime sponsor(s).

House Bill No. 2512 Rep(s). Hardaway as prime sponsor(s).

House Bill No. 2514 Rep(s). Hardaway as prime sponsor(s).

House Bill No. 2515 Rep(s). Hardaway as prime sponsor(s).

House Bill No. 2529 Rep(s). Hardaway as prime sponsor(s).

House Bill No. 2530 Rep(s). Hardaway as prime sponsor(s).

House Bill No. 2534 Rep(s). Hardaway as prime sponsor(s).

House Bill No. 2545 Rep(s). Hardaway as prime sponsor(s).

House Bill No. 2865 Rep(s). Faison, Powers, Dennis, Ford, Stewart and Sontany as prime sponsor(s).

MESSAGE FROM THE SENATE February 13, 2012

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2236; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Bill No. 2236 -- Motor Vehicles - As introduced, removes the requirement that certain accident reports be in writing; revises other various provisions governing motor vehicle accident reports. - Amends TCA Title 55, Chapter 10. by *Norris, *Tracy. (*HB2374 by *McCormick, *Johnson P)

PERSONAL ORDERS

RECOGNITION IN THE WELL

Representative Eldridge and Senator Massey were recognized in the Well in order to introduce Blake McMeans, Mr. McMeans' mother, Cynthia Hickerson, Megan Buell, Executive Director of the Blake McMeans Promise Tour, James Barron, Assistant to Blake McMeans, Jason Ivey, Program Management Administrator to the Governor's Highway Safety Office, Kendall Poole, Director of the Governor's Highway Safety Office and Josh Hammond, Bob Lindsey and Joe Hobbes, of the Tennessee Wine and Spirit Retailers Association.

RESOLUTION READ

The Clerk read House Joint Resolution No. 542, previously adopted on January 13, 2012, honoring Blake McMeans strength and determination in the face of adversity; after which, Blake McMeans and Cynthia Hickerson were recognized to express their gratitude.

House Joint Resolution No. 542 -- Memorials, Recognition - Blake McMeans. by *Eldridge, *Armstrong, *Bass, *Brooks H, *Brooks K, *Brown, *Campbell, *Camper, *Carr, *Casada, *Cobb, *Coley, *Cooper B, *Curtiss, *Dean, *DeBerry J, *DeBerry L, *Dennis, *Dunn, *Elam, *Evans, *Favors, *Fitzhugh, *Floyd, *Ford, *Forgety, *Gilmore, *Gotto, *Halford, *Hall, *Hardaway, *Harrison, *Harwell, *Hawk, *Haynes, *Hill, *Johnson C, *Johnson P, *Jones S, *Keisling, *Kernell, *Lollar, *Lundberg, *Maggart, *Marsh, *Matheny, *McCormick, *McDaniel, *McDonald, *McManus, *Miller L, *Miller D, *Moore, *Naifeh, *Niceley, *Odom, *Parkinson, *Pitts, *Powers, *Pruitt, *Ramsey, *Rich, *Richardson, *Sanderson, *Sargent, *Sexton, *Shaw, *Shepard, *Shipley, *Sontany, *Sparks, *Stewart, *Swann, *Tidwell, *Tindell, *Todd, *Towns, *Turner J, *Turner M, *Watson, *Weaver, *White, *Williams R, *Williams K, *Windle, *Womick.

RECOGNITION IN THE WELL

Representative Coley, joined by the Shelby County delegation, was recognized in the Well in order to introduce Steve Cropper

RESOLUTION READ

The Clerk read House Joint Resolution No. 541, previously adopted on January 13, 2012, honoring Steve Cropper's influential work as a rhythm & blues guitarist and as a founding member of the legendary Booker T. & The MG's and Stax Records. Mr. Cropper was recognized to express his gratitude to the members.

House Joint Resolution No. 541 -- Memorials, Professional Achievement - Steve Cropper. by *Coley, *Camper, *DeBerry J, *DeBerry L, *Hardaway, *Miller L, *Parkinson, *Richardson, *Todd, *Towns, *Turner J, *White, *Armstrong, *Bass, *Brooks H, *Brooks K, *Brown, *Campbell, *Carr, *Casada, *Cobb, *Curtiss, *Dean, *Dennis, *Dunn, *Elam, *Eldridge, *Evans, *Favors, *Fitzhugh, *Floyd, *Ford, *Forgety, *Gilmore, *Gotto, *Halford, *Hall, *Harrison, *Harwell, *Hawk, *Haynes, *Hill, *Johnson C, *Johnson P, *Jones S, *Keisling, *Lundberg, *Maggart, *Marsh, *Matheny, *McCormick, *McDaniel, *McDonald, *Miller D, *Moore, *Naifeh, *Niceley, *Odom, *Pitts, *Powers, *Pruitt, *Ramsey, *Rich, *Sanderson, *Sargent, *Sexton, *Shaw, *Shepard, *Shipley, *Sontany, *Sparks, *Stewart, *Swann, *Tidwell, *Tindell, *Turner M, *Watson, *Weaver, *Williams R, *Williams K, *Windle, *Womick.

RESOLUTIONS

Pursuant to **Rules No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for February 16, 2012:

House Resolution No. 183 -- Memorials, Personal Achievement - Kenneth Aaron "Ken" Brown, Eagle Scout. by *Elam.

House Resolution No. 184 -- Memorials, Retirement - Ronnie L. White. by *Williams K.

House Resolution No. 185 -- Memorials, Personal Achievement - Garland Pulley, Eagle Scout. by *Pruitt.

House Resolution No. 186 -- Memorials, Recognition - CSX Nashville Inclusion Council. by *Sontany.

House Joint Resolution No. 659 -- Memorials, Death - Willie Pearl Ellis. by *DeBerry L.

House Joint Resolution No. 660 -- Memorials, Recognition - Bishop Vashti Murphy McKenzie. by *DeBerry L.

House Joint Resolution No. 661 -- Memorials, Recognition - Chattanooga Composite Squadron. by *Dean, *McCormick, *Brooks K.

House Joint Resolution No. 663 -- Memorials, Heroism - Calvin Ward, Medal of Honor recipient. by *Hawk.

House Joint Resolution No. 665 -- Memorials, Recognition - Deliverance Outreach Temple, 20th anniversary. by *Pitts, *Johnson C, *Tidwell.

House Joint Resolution No. 666 -- Memorials, Professional Achievement - Danny Creasy, 2011 Logger of the Year. by *McDaniel.

SENATE JOINT RESOLUTIONS (Congratulatory and Memorializing)

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for February 16, 2012:

Senate Joint Resolution No. 575 -- Memorials, Retirement - Vic Humeniuk. by *Burks.

Senate Joint Resolution No. 576 -- Memorials, Recognition - Veterans Honor Guard. by *Burks, *Ford, *Stewart, *Tracy.

Senate Joint Resolution No. 577 -- Memorials, Death - Angelo Vic Varallo. by *Henry, *Kyle, *Harper, *Haynes, *Herron, *Tracy.

Senate Joint Resolution No. 590 -- Memorials, Sports - University of Memphis. by *Kyle, *Ford, *Kelsey, *Marrero, *Norris, *Tate, *Barnes, *Beavers, *Bell, *Berke, *Burks, *Campfield, *Crowe, *Faulk, *Finney L, *Gresham, *Harper, *Haynes, *Henry, *Herron, *Johnson, *Ketron, *Massey, *McNally, *Overbey, *Roberts, *Southerland, *Stewart, *Summerville, *Tracy, *Watson, *Yager, *Ramsey.

Senate Joint Resolution No. 591 -- Memorials, Sports - Christian Brothers High School wrestling team, State Duals champions. by *Kyle, *Watson, *Ford, *Kelsey, *Marrero, *Norris, *Tate, *Barnes, *Beavers, *Bell, *Berke, *Burks, *Campfield, *Crowe, *Faulk, *Finney L, *Gresham, *Harper, *Haynes, *Henry, *Herron, *Johnson, *Ketron, *Massey, *McNally, *Overbey, *Roberts, *Southerland, *Stewart, *Summerville, *Tracy, *Yager, *Ramsey.

RESOLUTIONS LYING OVER

On motion, the resolution(s) listed was/were referred to the appropriate Committee:

***Senate Joint Resolution No. 523** -- General Assembly, Statement of Intent or Position - Expresses Tennessee's support for the Nation of Israel. by *Ketron, *Crowe, *Southerland, *McNally, *Tracy.

House State and Local Government Committee

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

Senate Bill No. 2175 -- Public Funds and Financing - As introduced, enacts the "Uniformity in Tax Increment Financing Act of 2012." - Amends TCA Title 7; Title 9 and Title 13. by *Johnson. (*HB2231 by *McManus, *Hardaway)

***Senate Bill No. 2290** -- Equalization Board - As introduced, authorizes board to approve a continuing education program for registered taxpayer agents and to charge agents a per-credit hour fee of up to \$25.00 to defray cost of program. - Amends TCA Section 67-5-1514. by *Faulk. (HB2426 by *Watson)

Senate Bill No. 2418 -- Public Funds and Financing - As introduced, requires funding for capital projects exceeding \$1 million to be specified in detail in budget document; requires quarterly report of any changes to projects. - Amends TCA Title 9, Chapter 4, Part 51. by *McNally. (*HB2552 by *Sargent)

Senate Bill No. 2885 -- Emergency Communications Districts - As introduced, designates unpublished telephone numbers as confidential when in the possession of the emergency communications board or its designated agent. - Amends TCA Section 10-7-504. by *Haynes. (*HB2618 by *Forgety)

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

House Bill No. 3834 -- Sequatchie County -- House State and Local Government Committee

***House Bill No. 3835** -- Appropriations -- House Finance, Ways and Means Committee

***House Bill No. 3836** -- Bond Issues -- House Finance, Ways and Means Committee

***House Bill No. 3837** -- Budget Procedures -- House Finance, Ways and Means Committee

***House Bill No. 3838** -- Budget Procedures -- House Finance, Ways and Means Committee

***House Bill No. 3839** -- Public Funds and Financing -- House Finance, Ways and Means Committee

House Bill No. 3840 -- Rutherford County -- House State and Local Government Committee

House Bill No. 3841 -- Rutherford County -- House State and Local Government Committee

House Bill No. 3842 -- Hamblen County -- House State and Local Government Committee

House Bill No. 3843 -- Franklin -- House State and Local Government Committee

House Bill No. 3844 -- Franklin -- House State and Local Government Committee

House Bill No. 3845 -- Franklin -- House State and Local Government Committee

House Bill No. 3846 -- Elkton -- House State and Local Government Committee

House Bill No. 3847 -- Rutherford County -- House State and Local Government Committee

House Bill No. 3848 -- McMinn County -- House State and Local Government Committee

CONSENT CALENDAR

***House Bill No. 2480** -- Knox County - As introduced, repeals the office of legislative affairs. by *Haynes, *Hall, *Niceley, *Dunn, *Brooks H, *Tindell.

MONDAY, FEBRUARY 13, 2012 – FIFTY-THIRD LEGISLATIVE DAY UNOFFICIAL VERSION

***House Joint Resolution No. 522** -- Naming and Designating - "John T. Cunningham Day," August 12, 2012. by *Johnson C, *Pitts.

***House Bill No. 2171** -- Highway Signs - As introduced, designates segment of S.R. 374 in Clarksville as "Officers David Scott and Yamil Baez-Santiago Memorial Parkway.". by *Pitts, *Johnson C.

***House Joint Resolution No. 566** -- General Assembly, Confirmation of Appointment - Pamela B. Martin, Tennessee ethics commission. by *Elam.

***House Joint Resolution No. 565** -- Naming and Designating - "Down Syndrome Awareness Day," March 21, 2012. by *Sexton, *Bass, *Evans.

House Bill No. 2509 -- Sunset Laws - As introduced, extends the department of intellectual and developmental disabilities, June 30, 2014. - Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3. by *Cobb, *Shipley, *Rich.

On motion, House Bill No. 2509 was made to conform with **Senate Bill No. 2312**; the Senate Bill was substituted for the House Bill.

House Bill No. 2510 -- Sunset Laws - As introduced, extends the Interstate Insurance Product Regulation Compact of 2007, June 30, 2017. - Amends TCA Title 4, Chapter 29 and Title 56, Chapter 58, Part 1. by *Cobb, *Shipley, *Rich.

On motion, House Bill No. 2510 was made to conform with **Senate Bill No. 2319**; the Senate Bill was substituted for the House Bill.

House Bill No. 2512 -- Sunset Laws - As introduced, extends the civil defense and disaster compact, June 30, 2017. - Amends TCA Title 4, Chapter 29 and Title 58, Chapter 2, Part 4. by *Cobb, *Shipley, *Rich.

On motion, House Bill No. 2512 was made to conform with **Senate Bill No. 2333**; the Senate Bill was substituted for the House Bill.

House Bill No. 2513 -- Sunset Laws - As introduced, extends the department of general services, June 30, 2017. - Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3. by *Cobb, *Shipley, *Rich.

House Bill No. 2514 -- Sunset Laws - As introduced, extends the emergency management assistance compact, June 30, 2017. - Amends TCA Title 4, Chapter 29 and Title 58, Chapter 2, Part 4. by *Cobb, *Shipley, *Rich.

On motion, House Bill No. 2514 was made to conform with **Senate Bill No. 2332**; the Senate Bill was substituted for the House Bill.

House Bill No. 2515 -- Sunset Laws - As introduced, extends the interstate earthquake compact of 1988, June 30, 2017. - Amends TCA Title 4, Chapter 29 and Title 58, Chapter 2, Part 4. by *Cobb, *Shipley, *Rich.

On motion, House Bill No. 2515 was made to conform with **Senate Bill No. 2331**; the Senate Bill was substituted for the House Bill.

MONDAY, FEBRUARY 13, 2012 – FIFTY-THIRD LEGISLATIVE DAY UNOFFICIAL VERSION

House Bill No. 2527 -- Sunset Laws - As introduced, extends the advisory council on workers' compensation, June 30, 2014. - Amends TCA Title 4, Chapter 29 and Title 50, Chapter 6, Part 1. by *Cobb, *Shipley, *Rich.

House Bill No. 2529 -- Sunset Laws - As introduced, extends the Tennessee emergency management agency, June 30, 2017. - Amends TCA Title 4, Chapter 29 and Title 58, Chapter 2. by *Cobb, *Shipley, *Rich.

On motion, House Bill No. 2529 was made to conform with **Senate Bill No. 2330**; the Senate Bill was substituted for the House Bill.

House Bill No. 2530 -- Sunset Laws - As introduced, extends the Tennessee financial literacy commission, June 30, 2017. - Amends TCA Title 4, Chapter 29 and Title 49, Chapter 6, Part 17. by *Cobb, *Shipley, *Rich.

On motion, House Bill No. 2530 was made to conform with **Senate Bill No. 2326**; the Senate Bill was substituted for the House Bill.

House Bill No. 2531 -- Sunset Laws - As introduced, extends the Tennessee heritage conservation trust fund, board of trustees, June 30, 2016. - Amends TCA Title 4, Chapter 29 and Title 11, Chapter 7. by *Cobb, *Shipley, *Rich.

House Bill No. 2533 -- Sunset Laws - As introduced, extends the Tennessee life and health insurance guaranty association, June 30, 2017. - Amends TCA Title 4, Chapter 29 and Title 56, Chapter 12, Part 2. by *Cobb, *Shipley, *Rich.

On motion, House Bill No. 2533 was made to conform with **Senate Bill No. 2320**; the Senate Bill was substituted for the House Bill.

House Bill No. 2534 -- Sunset Laws - As introduced, extends the Tennessee technology development corporation, June 30, 2017. - Amends TCA Title 4, Chapter 14 and Title 4, Chapter 29. by *Cobb, *Shipley, *Rich.

House Bill No. 2543 -- Sunset Laws - As introduced, extends the state forestry commission, June 30, 2017. - Amends TCA Title 4, Chapter 29 and Title 11, Chapter 4. by *Cobb, *Shipley, *Rich.

On motion, House Bill No. 2543 was made to conform with **Senate Bill No. 2334**; the Senate Bill was substituted for the House Bill.

House Bill No. 2545 -- Sunset Laws - As introduced, extends the Tennessee council for career and technical education, June 30, 2017. - Amends TCA Title 4, Chapter 29 and Title 49, Chapter 11. by *Cobb, *Shipley, *Rich.

House Bill No. 2559 -- Sunset Laws - As introduced, extends Tennessee residence commission, June 30, 2017. - Amends TCA Title 4, Chapter 23 and Title 4, Chapter 29. by *Cobb, *Shipley, *Rich.

On motion, House Bill No. 2559 was made to conform with **Senate Bill No. 2329**; the Senate Bill was substituted for the House Bill.

MONDAY, FEBRUARY 13, 2012 – FIFTY-THIRD LEGISLATIVE DAY UNOFFICIAL VERSION

House Bill No. 2560 -- Sunset Laws - As introduced, extends the Tennessee tobacco farmers certifying board, June 30, 2014. - Amends TCA Title 4, Chapter 29 and Title 43, Chapter 36, Part 1. by *Cobb, *Shipley, *Rich.

On motion, House Bill No. 2560 was made to conform with **Senate Bill No. 2336**; the Senate Bill was substituted for the House Bill.

House Resolution No. 171 -- Memorials, Retirement - Dr. Harold M. Lane, DDS. by *Williams K.

House Resolution No. 172 -- Memorials, Academic Achievement - Rachel Whaley, Valedictorian, Forrest High School. by *Bass.

House Resolution No. 173 -- Memorials, Academic Achievement - Paten Pruitt, Salutatorian, Forrest High School. by *Bass.

House Resolution No. 174 -- Memorials, Professional Achievement - Sharon Kelly. by *Favors, *Armstrong, *Parkinson, *Cooper B, *Turner J, *Sontany, *Pruitt, *Gilmore, *Camper, *Brown.

House Resolution No. 175 -- Memorials, Recognition - Tim and Melinda Bone. by *Favors, *Armstrong, *Parkinson, *Cooper B, *Turner J, *Sontany, *Pruitt, *Gilmore, *Camper, *Brown.

House Resolution No. 176 -- Memorials, Recognition - Mamie Madison Hamler. by *Favors, *Armstrong, *Parkinson, *Cooper B, *Turner J, *Sontany, *Pruitt, *Gilmore, *Camper, *Brown.

House Resolution No. 177 -- Memorials, Recognition - Virgil Julius Caldwell. by *Favors, *Armstrong, *Parkinson, *Cooper B, *Turner J, *Sontany, *Pruitt, *Gilmore, *Camper, *Brown.

House Resolution No. 178 -- Memorials, Recognition - Michael Reynaud Geer. by *Favors, *Armstrong, *Parkinson, *Cooper B, *Turner J, *Sontany, *Pruitt, *Gilmore, *Camper, *Brown.

House Resolution No. 179 -- Memorials, Recognition - John R. Taylor. by *Favors, *Armstrong, *Parkinson, *Cooper B, *Turner J, *Sontany, *Pruitt, *Gilmore, *Camper, *Brown.

House Resolution No. 180 -- Memorials, Recognition - John Baker. by *Favors, *Armstrong, *Parkinson, *Cooper B, *Turner J, *Sontany, *Pruitt, *Gilmore, *Camper, *Brown.

House Resolution No. 181 -- Memorials, Recognition - Abbie McDowell. by *Favors, *Armstrong, *Parkinson, *Cooper B, *Turner J, *Sontany, *Pruitt, *Gilmore, *Camper, *Brown.

House Resolution No. 182 -- Memorials, Recognition - J.T. McDaniel. by *Favors, *Armstrong, *Parkinson, *Cooper B, *Turner J, *Sontany, *Pruitt, *Gilmore, *Camper, *Brown.

House Joint Resolution No. 642 -- Memorials, Recognition - Jackson County's 34th Annual Polk Sallet Festival, May 10-13, 2012. by *Keisling.

MONDAY, FEBRUARY 13, 2012 – FIFTY-THIRD LEGISLATIVE DAY UNOFFICIAL VERSION

House Joint Resolution No. 646 -- Memorials, Recognition - Lindsey Rochelle. by *Holt.

House Joint Resolution No. 647 -- Memorials, Recognition - Kevin Hensley. by *Holt.

House Joint Resolution No. 648 -- Memorials, Recognition - Shelby County Juvenile Court. by *DeBerry J.

House Joint Resolution No. 650 -- Memorials, Recognition - Joe Glasscock. by *Floyd.

House Joint Resolution No. 651 -- Memorials, Personal Occasion - Louise Robinson Bonds, 94th birthday. by *Halford.

House Joint Resolution No. 652 -- Memorials, Death - Frank W. Wade. by *DeBerry L, *Camper.

House Joint Resolution No. 653 -- Memorials, Recognition - Delta Days on Capitol Hill. by *DeBerry L.

House Joint Resolution No. 654 -- Memorials, Retirement - Alben "Al" Simmons. by *Marsh.

House Joint Resolution No. 655 -- Memorials, Recognition - Mary Elaine Wilson, 2011 TTC Outstanding Student of the Year. by *Sexton.

House Joint Resolution No. 656 -- Memorials, Death - William E. "Ted" Blevins, Sr. by *Harrison.

House Joint Resolution No. 657 -- Memorials, Professional Achievement - Cadet Colonel Daniel T. Fry, Jr., General Carl A. Spaatz Award. by *Cobb.

House Joint Resolution No. 658 -- Memorials, Professional Achievement - Cadet Colonel Jeffrey Lewoczko, CAP General Carl A. Spaatz Award. by *Eldridge.

***Senate Joint Resolution No. 561** -- Memorials, Death - Charles Andrew Howell III. by *Summerville, *Ford, *Haynes, *Henry, *Barnes, *Beavers, *Bell, *Berke, *Burks, *Campfield, *Crowe, *Faulk, *Finney L, *Gresham, *Harper, *Herron, *Johnson, *Kelsey, *Ketron, *Kyle, *Marrero, *Massey, *McNally, *Norris, *Overbey, *Roberts, *Southerland, *Stewart, *Tracy, *Watson, *Ramsey.

Senate Joint Resolution No. 574 -- Memorials, Recognition - Smith County Fair, 2011 State Champion Fair Division A. by *Beavers.

Rep. Haynes moved that Rep. Armstrong be added as a co-prime sponsor on House Bill No. 2480, which motion prevailed.

Rep. K. Williams moved that all members voting aye on House Resolution No. 171 be added as co-prime sponsors, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Holt, Hurley, Pody and Ragan.

MONDAY, FEBRUARY 13, 2012 – FIFTY-THIRD LEGISLATIVE DAY UNOFFICIAL VERSION

Rep. Floyd moved that all members voting aye on House Joint Resolution No. 650 be added as co-prime sponsors, with the Hamilton County delegation listed first, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Holt, Hurley, Pody and Ragan.

Pursuant to **Rule No. 50**, Rep. Dunn moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes 98
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 98

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from "not voting" to "aye" on the Consent Calendar and have this statement entered in the Journal: Rep(s). Kernell.

REGULAR CALENDAR

***House Bill No. 2604** -- Banks and Financial Institutions - As introduced, alters and adds limits to acquisition and installment account handling charges for loans. - Amends TCA Section 45-5-403(b). by *Montgomery, *Harrison, *Shaw, *McDaniel, *Eldridge, *Haynes, *Powers, *Maggart, *Matheny, *Shepard, *Forgety, *Shipley, *DeBerry J, *Hurley. (SB2534 by *Yager, *Johnson)

Rep. Montgomery moved that **House Bill No. 2604** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 80
Noes..... 14
Present and not voting..... 2

MONDAY, FEBRUARY 13, 2012 – FIFTY-THIRD LEGISLATIVE DAY UNOFFICIAL VERSION

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Butt, Campbell, Carr, Casada, Cobb, Coley, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Fitzhugh, Floyd, Ford, Forgety, Gotto, Halford, Hall, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Montgomery, Moore, Naifeh, Niceley, Odom, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Swann, Tidwell, Tindell, Todd, Watson, Weaver, White, Williams K, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 80

Representatives voting no were: Cooper, Favors, Hardaway, McDonald, Miller L, Parkinson, Richardson, Sontany, Sparks, Stewart, Towns, Turner J, Turner M, Windle -- 14

Representatives present and not voting were: Brown, Camper -- 2

A motion to reconsider was tabled.

***House Bill No. 1519** -- Education, Curriculum - As introduced, requires cardiopulmonary resuscitation programs to implement hands-on practice and skills testing to support cognitive learning, as opposed to merely cognitive training. - Amends TCA Title 49, Chapter 6, Part 12. by *Turner M, *Campbell, *Moore, *Ramsey, *Shipley, *Williams R. (SB1680 by *Tracy, *Gresham, *Tate, *Kelsey, *Berke, *Burks, *Campfield, *Crowe, *Summerville, *Barnes, *Faulk, *Ford, *Harper, *Kyle, *Marrero, *Overbey)

On motion, House Bill No. 1519 was made to conform with **Senate Bill No. 1680**; the Senate Bill was substituted for the House Bill.

Rep. M. Turner moved that Senate Bill No. 1680 be passed on third and final consideration.

Rep. Montgomery moved adoption of Education Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1519 by deleting the language after the enacting clause and by substituting instead the following:

SECTION 1. This act shall be known and may be cited as the "Carmen Burnette Act of 2012".

SECTION 2. Tennessee Code Annotated, Section 49-6-1208, is amended by deleting subsection (b) and by substituting instead the following:

(b) It is not the intention of this section to require full certification in CPR. It is the intention of the section that students will learn the techniques and practice the psychomotor skills associated with performing CPR. For the purposes of this section, "psychomotor skills" means the use of hands-on practice and skills testing to support cognitive learning and shall not include cognitive-only training.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Education Committee Amendment No. 1 was adopted.

Rep. M. Turner moved that **Senate Bill No. 1680**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 96
Noes..... 1

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 96

Representatives voting no were: Pody -- 1

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “not voting” to “aye” on **Senate Bill No. 1680** and have this statement entered in the Journal: Rep(s). Ford.

REGULAR CALENDAR, CONTINUED

***House Bill No. 2355** -- Surplus Property - As introduced, revises duties of the chief procurement officer relating to disposal of certain property; keeps administration of state surplus personal property within general services instead of with chief procurement officer; permits payment of state surplus personal property by credit card. - Amends TCA Section 4-56-105 and Title 12, Chapter 2, Part 4. by *McCormick, *Eldridge. (SB2217 by *Norris, *Ketron)

Rep. Eldridge moved that House Bill No. 2355 be reset for the Regular Calendar on February 27, 2012, which motion prevailed.

MONDAY, FEBRUARY 13, 2012 – FIFTY-THIRD LEGISLATIVE DAY UNOFFICIAL VERSION

***House Bill No. 2374** -- Motor Vehicles - As introduced, removes the requirement that certain accident reports be in writing; revises other various provisions governing motor vehicle accident reports. - Amends TCA Title 55, Chapter 10. by *McCormick, *Johnson P. (SB2236 by *Norris, *Tracy)

Rep. P. Johnson requested that House Bill No. 2374 be moved to the heel of the Calendar.

***House Bill No. 2342** -- Law Enforcement - As introduced, extends provisions regarding employee compensation and indemnification for officers killed in the line of duty to police officers employed by the state. - Amends TCA Section 7-51-208(a)(2). by *McCormick, *Watson, *Evans. (SB2204 by *Norris, *Faulk, *Overbey, *Campfield, *Barnes, *Burks, *Gresham, *Harper, *Marrero, *Tracy)

On motion, House Bill No. 2342 was made to conform with **Senate Bill No. 2204**; the Senate Bill was substituted for the House Bill.

Rep. Watson moved that **Senate Bill No. 2204** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 99
Noes 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 99

A motion to reconsider was tabled.

House Bill No. 2542 -- Sunset Laws - As introduced, extends the state capitol commission, June 30, 2013. - Amends TCA Title 4, Chapter 29 and Title 4, Chapter 8. by *Cobb . (*SB2328 by *Bell)

Rep. Cobb moved that House Bill No. 2542 be passed on third and final consideration.

Rep. Rich moved adoption of Government Operations Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2542 By deleting in its entirety Section 2 of the printed bill and by substituting instead the following:

4061

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MONDAY, FEBRUARY 13, 2012 – FIFTY-THIRD LEGISLATIVE DAY UNOFFICIAL VERSION

SECTION 2. Tennessee Code Annotated, Section 4-29-238(a), is amended by adding a new subdivision thereto, as follows:

() State capitol commission, created by § 4-8-301;

On motion, Government Operations Committee Amendment No. 1 was adopted.

Rep. Cobb moved that **House Bill No. 2542**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 98
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 98

A motion to reconsider was tabled.

JOURNAL CORRECTION

Without objection, the Speaker requested that the Journal reflect that Rep. Pody voted “aye” on **House Bill No. 2542**.

REGULAR CALENDAR, CONTINUED

House Bill No. 2544 -- Sunset Laws - As introduced, extends the Tennessee arts commission, June 30, 2013. - Amends TCA Title 4, Chapter 20 and Title 4, Chapter 29. by *Cobb . (*SB2324 by *Bell)

Rep. Cobb moved that House Bill No. 2544 be passed on third and final consideration.

Rep. Rich moved adoption of Government Operations Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2544 By deleting in its entirety Section 2 of the printed bill and by substituting instead the following:

SECTION 2. Tennessee Code Annotated, Section 4-29-238(a), is amended by adding a new subdivision thereto, as follows:

4062

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() Tennessee arts commission, created by § 4-20-101;

On motion, Government Operations Committee Amendment No. 1 was adopted.

Rep. Cobb moved that **House Bill No. 2544**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 99
Noes 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 99

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “not voting” to “aye” on **Senate Bill No. 1680** and have this statement entered in the Journal: Rep(s). Roach.

REGULAR CALENDAR, CONTINUED

***House Bill No. 2374** -- Motor Vehicles - As introduced, removes the requirement that certain accident reports be in writing; revises other various provisions governing motor vehicle accident reports. - Amends TCA Title 55, Chapter 10. by *McCormick, *Johnson P. (SB2236 by *Norris, *Tracy)

Further consideration of House Bill No. 2374 previously considered on today’s Calendar.

On motion, House Bill No. 2374 was made to conform with **Senate Bill No. 2236**; the Senate Bill was substituted for the House Bill.

Rep. P. Johnson moved that **Senate Bill No. 2236** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 98
Noes 1

Representatives voting aye were: Alexander, Armstrong, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J,

MONDAY, FEBRUARY 13, 2012 – FIFTY-THIRD LEGISLATIVE DAY UNOFFICIAL VERSION

DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 98

Representatives voting no were: Bass -- 1

A motion to reconsider was tabled.

UNFINISHED BUSINESS

BILLS WITHDRAWN

On motion of Rep. Todd, **House Bill No. 3473** was recalled from the State and Local Government Committee and withdrawn from the House.

BILLS RE-REFERRED

Rep. McCormick moved that the following bills be re-referred from the Finance, Ways and Means Committee to the State and Local Government Committee, and that the same be heard in the State and Local Government Committee this week: **House Bill No. 2398**, which motion prevailed.

ANNOUNCEMENTS

RULES SUSPENDED

Rep. Maggart moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 668 out of order, which motion prevailed.

House Joint Resolution No. 668 -- Naming and Designating - "Tennessee Children's Hospital Appreciation Month," February 2012. by *Maggart.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Maggart, the resolution was adopted.

A motion to reconsider was tabled.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 625 Rep(s). Alexander, Pody and Powers as prime sponsor(s).

House Bill No. 2218 Rep(s). M. Turner, Sexton, Halford, Weaver, Hurley, Butt and Campbell as prime sponsor(s).

House Bill No. 2469 Rep(s). Hurley as prime sponsor(s).

House Bill No. 2638 Rep(s). Carr as prime sponsor(s).

House Bill No. 2744 Rep(s). Hurley as prime sponsor(s).

House Bill No. 2776 Rep(s). Harwell as prime sponsor(s).

House Bill No. 2886 Rep(s). P. Johnson and Sargent as prime sponsor(s).

House Bill No. 2935 Rep(s). Matheny and Casada as prime sponsor(s).

House Bill No. 2947 Rep(s). Hurley as prime sponsor(s).

House Bill No. 3007 Rep(s). Eldridge as prime sponsor(s).

House Bill No. 3175 Rep(s). Sexton, Halford, Evans, Weaver, Hurley, Butt, Campbell and M. Turner as prime sponsor(s).

SPONSORS REMOVED

On motion, Rep(s). Sanderson was/were removed as sponsor(s) of **House Bill No. 3164**.

ENGROSSED BILLS
February 13, 2012

MADAM SPEAKER: The following bill(s) have been examined, engrossed and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 522, 565, 566, 642, 646, 647, 648, 650, 651, 652, 653, 654, 655, 656, 657, 658 and 668.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**ENGROSSED BILLS
February 13, 2012**

MADAM SPEAKER: The following bill(s) have been examined, engrossed and are ready for transmission to the Senate: House Bill(s) No(s). 2480, 2513, 2527, 2531, 2534, 2542, 2544, 2545 and 2604.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
February 13, 2012**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 551, 2203, 2244 and 2360; for the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
February 13, 2012**

MADAM SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 630 and 637; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
February 13, 2012**

MADAM SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 652 and 653; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**ENROLLED BILLS
February 13, 2012**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution(s) No(s). 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181 and 182; and find same correctly enrolled and ready for the signature of the Speaker.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**SIGNED
February 13, 2012**

The Speaker announced that she had signed the following: House Resolution(s) No(s). 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181 and 182.

BETTY KAY FRANCIS, Chief Engrossing Clerk

ROLL CALL

The roll call was taken with the following results:

Present..... 97

Representatives present were Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Swann, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 97

RECESS MOTION

On motion of Rep. McCormick, the House stood in recess until 9:00 a.m., Thursday, February 16, 2012.